



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD

CHICAGO, IL 60604-3590

JUL 29 2004

REPLY TO THE ATTENTION OF:

DE-9J

Mr. Jerry Weiss
Industrial Account Manager
Waste Management, Inc.
11375 Sherman Rd.
Frederic, Michigan 49733

Re: Off-Site Rule Acceptability Determination
City Environmental Services of Waters
MDEQ 40-7066

Dear Mr. Weiss,

This letter is in reply to the letter of July 20, 2004 to Mr. William Damico regarding City Environmental Services of Waters request for off-site rule acceptability.

Pursuant to 40 C.F.R. § 300.440 (a) (4), my staff has determined that no relevant violations or releases currently exist at City Environmental Services of Waters. Therefore, City Environmental Services of Waters located at 11375 Sherman Rd. Frederic, Michigan is acceptable to receive non-hazardous wastes from CERCLA sites at the cells which meet the minimum technology requirements for subtitle-D landfills.

The acceptability determination is based on the assumption that only non-hazardous waste for which City Environmental Services of Waters is properly permitted will be shipped to this facility. It is your responsibility to review any proposed waste streams for compliance with the permits for your facility.

If you have questions, please contact Mr. Damico at (312) 353-8207, United States Environmental Protection Agency, Region 5 – DE-9J, 77 W. Jackson Boulevard, Chicago, Illinois 60604.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Harriet Croke".

Harriet Croke, Acting Chief
Enforcement and Compliance Assurance Branch
Waste Pesticides and Toxics Division

cc: Jim Palmer, District Manager
Waste Management

John Ozoga, Michigan Department of Environmental Quality, Gaylord Office